

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JORDAN ALLEN LAMSON and
HALEY LOUISE MARIE LAMSON, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

AMANDA LAMSON,

Respondent-Appellant.

UNPUBLISHED

June 12, 2007

No. 274630

Shiawassee Circuit Court

Family Division

LC No. 04-010819-NA

Before: Fitzgerald, P.J., and Sawyer and O'Connell, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(g). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The trial court did not clearly err in finding that petitioner proved by clear and convincing evidence that respondent, "without regard to intent, fails to provide proper care or custody for the [children] and there is no reasonable expectation that [she] will be able to provide proper care and custody within a reasonable time considering the [children's] age." MCL 712A.19b(3)(g). Respondent, who was a fifteen-year-old court ward herself when she gave birth to the minor twins, was a repeat runaway who regularly hid the children and herself from detection and protected their abusive father who was more than five years her senior. As soon as respondent turned 18, she left her placement to live in her own apartment even though she was unable to afford it and was soon evicted. She resumed living with the children's father even though his own parental rights had been terminated. Even though his clothes, shaving kit, and collection of folding knives were discovered at her apartment, respondent lied on the witness stand about how long it had been since she last saw him.

Although petitioner continued to offer services, respondent made no effort to comply with the treatment plan until after the termination petition was filed. By that time, the children had been in foster care for two years, since their infancy. Respondent admitted to serious substance abuse history and missed drug screens, but blamed caseworkers for her failure to complete her parenting plan. Her parenting times were punctuated by absenteeism and ambivalence. She cancelled visits and simply skipped several more. She disappointed the

children by failing to acknowledge their birthday or Christmas. Although the trial court noted respondent's marked improvement since the children initially came under its jurisdiction, the evidence completely substantiates petitioner's claim that respondent lacked the basic maturity, responsibility, and resources to parent the children. Therefore, the evidence supports the trial court's determination that termination was warranted under § 19b(3)(g).

Further, the trial court's finding regarding the children's best interests was not clearly erroneous. The children did well in foster care, and the record reflects a poor and unstable relationship between respondent and each child. Therefore, the trial court did not clearly err by finding that termination of respondent's parental rights would not clearly contravene the children's best interests. *In re Trejo*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000); MCL 712A.19b(5).

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ David H. Sawyer

/s/ Peter D. O'Connell